GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1892-3
~~191~~ .
(Madras)

File No. 26

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Recovery of the Value of Jewels lost in the Champaka dhamaswamy Temple at Bommenighatta, Anekal Taluk, from the Archik thereof

PREVIOUS REFERENCES	LATER REFERENCES.

Mysore. Menu

Subject

Loss of Temple property and the responsibility of the Archik

A theft was committed in the Temple of Bannerighatta, Bangalore District on the night of the 18th January 1891. The Value of the articles lost, amounted to Rs 22-6-9 (subsequently reported to be Rs 40/-). The District Mysore officer, who inspected the Temple and held enquiry into the matter, hints in his report, the probable complicity of the Temple Servants in the Commission of theft.

2. The Deputy Commissioner, Bangalore, brought to notice of Government the above circumstances in his letter No 312 dated 14th February 1891 and stated that the case was being investigated by the Police. In reply he was asked to report on the result of the investigation when completed, for the information of Government.

3. In his letter No. 680 dated 30th November 1891, the Deputy Commissioner reported that owing to the previous bad character of the Archak Rama Char and his failure to afford help in tracing out the culprits, the Police entertained suspicion against him

ined as the Temple property was in his sole charge he, the Deputy Commissioner ordered the worshippers to make good the loss under the spirit of the Government Proceedings No. 7443/471 dated 26th December 1889. The said action of the Deputy Commissioner was approved by the Government in their order No. 9533/310 dated 4th December 1891, and they further directed that the amount when recovered should be credited to the Temple funds.

4 Whereupon the Archik Ramachar petitioned this office representing that he was not responsible for the theft of property, that some ill-feeling existed between him and the acting Parpattegar Venkatramanaah, and the latter whose duty it was to have kept proper watch on the Temple unjustly imputes the act to him, in collusion with the Police. Petition No. 2998 dated 15th January 1892.

5. This petition was forwarded to the Deputy Commissioner with a request to report, if having regard to the allegations contained therein, whether the Parpattegar should not also be held accountable for the loss of the property in the Temple Docket No 477 dated 25th February 1892.

6. The Deputy Commissioner now reports that the stolen properties were not in the custody of the Parpattegar, but were remained under the lock and key of the Archik and that Docket No. 146 dated 13th May 1892.

the Purpalleguar cannot therefore be held responsible for the loss.

7. Before orders were passed on this last letter of the Deputy Commissioner an appeal petition – No. 685 dated 2nd June 1892, from Archik Rama Chur, addressed to the Councillors was received in this office and the entire file is now submitted to the Councillors for orders.

Precedents on the subject are also submitted herewith

28/6/92

Memo submitted to
the Councillors for orders

Pro. No. 685 of

Rec. treated for
Imprisonment of

Abt
Ramachar

Recd at Mbagrai
Comrs notes of
28/6/92

From the papers submitted it appears that the locks of the outer door of the temple at Vamangalla were broken & property of the value of 4£ stolen from the temple. However there is nothing to show that the Archak Ramachary who had charge of the Temple was guilty of negligence or connivance in the robbery. The Dist Comr for Mathavaries states that it is "probable that some body acquainted with the state of the temple on hearing ill will to the Archak has committed the theft" yet, he was ordered

re taking care of the property

Upon the
the proceedings
under the
1 th Gen Poso
Dec 1889 No 7442
671.
appeal is
not then order. ——

The Gen Poso quoted
the Dy Cmr does
apply in such cases
as any in cases in which
there is good reason to
suspect that the Rajpo
r dr robbery could not
have been committed
without the connivance of
the servants in charge of
the temple. — In the
case before there is no reason
to suspect any such
connivance in this case,
the Gen is [illegible] to involve
[illegible] cancel the
order of the Dy Cmr. ——

MP
9/9/92

[illegible]

[illegible]

[illegible]

to ~~Any~~ a
value of
stolen
Spirit of
of 16°
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The following is the Collection of authorities on the subject of the responsibility of the Temple Servants in regard to the loss of property occurring in Temples.

In 1865 Jewellery valued Rs 3188/- was lost in the Temple at Nanjangud under circumstances indicating that it had been stolen; the suspected persons were placed before a Magistrate for trial, but owing to the defect in the evidence, the case fell through and the Offenders were released, yet the then Superintendent of Ashtagram Division Col: Elliot, in accordance with the ancient usage in the Province, directed the recovery of the value of the property from the Temple Servants according to the extent of their responsibility. This order Superintendent was upheld by Mr. B the then Chief Commissioner — Vide Chief Commissioner's letter No. 1234/37, dated 2

June 1866 and also Col. Elliot's letter on the subject attached to it.

2. In the Agasthieswara Temple in the Talakod Taluk, a series of thefts had occurred. In all these cases, the late Chief Commissioner held that the Temple servants should be held responsible for the loss of the property and directed its value being recovered from them rateably. In this order also, the long existing usage in the matter is cited as an authority for the order — Vide. late Chief Commissioner's Proceedings No. $\frac{682}{66}$ dated 28th May 1879.

3. In 1886 a few jewels were stolen from the Temple of Narasimhaswami at Sreerangapatam and their value was, under the orders of the Amildar and the Sub-Division Officer, recovered from the Temple servants and the Dewan confirmed the order of the local Officers in the matter — Vide — Proceedings of the Dewan No $\frac{7346}{432}$ dated 13th September 1890 —

14-10 92

I Circulated to Members for orders AS

W Morgan Thomas 15/10/92

Let us proceed as proposed

26/10/92

The responsibility of Temple Officials ~~in part~~ to make good the loss of Temple property, is of course not a criminal one but arises out of a rule of the Treasurer Dept, which has long been in force. It is under existing well recognised circs a Condition of the Temple Service. It would be highly inexpedient at this time to alter this rule in question on the ground of individual hardship —

23/10/92

Following the long existing rule. Taking into consideration the admitted proved fact that the Archdk was an innocent Channel thro the temple property there is a strong suspicion that he was concerned in the theft. Ignt concerned in it, who was bound to look after matters. I therefore think the Bench is there is a differ of opin between me they would be glad to Defer this

Mr. Branch
June 2/92

Copy

In the Court of the Councillors to His Highness the Maharaja of Mysore

of 1892.

Petitioner

Ramalhar, Son of Ramaswamy residing at Bannerugatta, Anekal Taluk-

The Petetioner is the Archeck of Sampangi Ramaswa Temple at Bannerugatta, Anekal Taluk-

II That Sometime ago theft was Committed in the Said Temple by which a Sum of Rs 40/- was Stolen by person or persons who are not known to the Petetioner

III That the Store room of the Temple is locked both by the Petitioner and the Temple Parapatyagar and that the Key of the Kanikey Box has always been in the possession of the Taluk Shevastadar and that the Kanikey Box would be opened once a Month either by the Taluk Shevastadar or by Some other Taluk officials who used to examine the or Kanikeys (put into it by the Devotees) and then togive the Kanikey amount to the Petitioner and take away other half to the Taluk Katcherry for crediting it to the funds.

IV That there are 22 Servants attached to the Temple whose are to look after the Temple properties.

V That the Petitioner is in charge of Sundry articles Such Ramas, Kiritas, Chamaras, Vese which are Safe with him he has been Keeping them in his possession from the his ancestors.

VI That pending disposal of this Petetion, Petitioner has p the amount of Rs 40/- under protest as per Post Office No 295 herewith produced to the Anekal Taluk

12 as

Court in Endorsement No 1195 of 1/4/92 that unless he paid the the Case would not be inquired into -

VII That as Orders were received by the Petitioner that he must pay Rs 40 of- from the Deputy Commissioner without giving Petitioner an opportunity to explain all these facts to him, he prosecuted. Petition No 302 of-92 to the Deputy Commissioner praying for a decision after proper enquiry -

VIII That the Deputy Commissioner has declined to go into the Case as the matter has to be decided by the Government as per No 302 of 30th May 1892 herewith produced.

IX That all these facts do not appear to have been brought to the notice of this Honorable Court -

X That the Parapatyagar of the Temple is an enemy of the Petit

XI That if theft was Committed in a Temple where there are so many Servants as 22 it would be a great hardship on the Petitioner to call upon him to pay up the Kept in the Kanikey Box which would always be Kept in Temple and which Kanikey Box has been now in the possession of the Parapatyagar that is, in his house -

XII Petitioner therefore prays that this Hon or able Court may be pleased to go into the Case and after it is Satisfied as to innocence of the Petitioner there to order the refund of amount paid by him into the Taluk Treasury

Bangalore
Dt 1st June 1892

Petitioners Agent

14

(General Serial No. 30.)

OFFICE OF THE DEWAN OF MYSORE
1967
17 FEB 91
17

1891

From

The Deputy Commissioner
Bangalore District

To

The Chief Secretary to the
Dewan of Mysore

Dated 15/2/91

Despatched

Received 17 February

Enclosures No. 2

General No.

No. 872

Submitting report by the Mustoi Officer, regarding theft committed in the Bannerghatta temple, Anekal Taluk.

C Venkatesiah
Cl
17/2/91

Read 23/2/91

To the Same No. 57-CE 23/11/92
Mus. 7 28.92

23-2-91 23-2-

15

Dy Commissioners Office
Bangalore District
14th February 1891

Dno 872
2

To

The Chief Secretary to the
Dewan of Mysore

Sir,

In pursuance of instructions conveyed in the late Chief Commissioner's proceedings No. 5210/59 dated 16th October 1874, I have the honor to forward for the information of Government, the enclosed copy of report by the Nuzvoi Officer, regarding the theft committed in Bannerghatta Temple Anekal Taluk, in which the property valued at about Rs 22.6.9 is said to have been stolen on the night of the 18th instno-

2. 16 matter came to
my notice only on the 7th
Instant and I desired the Muzkuri
Officer to proceed to the spot
and institute necessary en-
quiries in the matter -

3. The case of theft is
reported to be pending before the
Police and steps will be taken
to trace out the culprits -

4 A copy of the list
of stolen property is enclosed -

I have the honor to be
Sir,
your most obedient servant,

Sd/ Narasimhan
Offg. Dy Commissioner -

Mpl

As per orders of the Deputy Commissioner dated 7th Instant, passed upon the Arethial Amildar's request to have a dead Nevala Tree given to the Bannerghatta Temple Servants to be converted into doors to replace those which were damaged when a theft was committed thereon on the night of the 18th January last, I went to the spot the next day and examined the building. I append a rough sketch of the Temple with the approximate position of the doors and boxes, which were found meddled with. Both the posts of the door No 3 bear marks of drilling with an instrument of about an inch diameter, the holes thus made being wide enough to admit an adult's fist. In my presence the Archak opened doors No 1, No 2 and No 3 with an iron rod slightly bent, by inserting it through a permanent hole in the middle of the doors. It seems doors No 2 and No 3 were used to be secured with cylindrical country locks also.

These were in a broken state, as well as three padlocks ~~2 pad locks~~, 2 of which are "Chubbs". All these together with the chips of wood produced by the drill were exhibited to me by the Patel's Gumasta, who took them back for safe custody, as arranged by the Police. In the temple I found the contribution money box - Kanika Petti - which was in an open state. The only injury which it exhibits to an unprofessional eye like mine, is a little horizontal mark of a small drill between the walls of the lid and the lower cavity. I brought it with me - for the Deputy Commissioner's personal examination, as it was left in the temple by the Police.

The drilling, the opening of a round box and the picking up of other locks makes me suspect that some artisan must have been concerned in the offence, and further that, ~~unless~~ positively or negatively assisted by one well acquainted with the nooks and cants of the temple, the artisan himself must

19 have been well acquainted with them. It is very strange that the temple servants do not suspect any of the neighbouring villagers even. But the fact that the stolen articles are comparatively low valued, makes me differ from them. I think that the thief or thieves must be some living rather near the temple. Further than this, I cannot conscientiously suggest with so very few circumstances before me. The absences of the Pasupatigar, of the archak till 9 a.m. the next day and of the archak's uncles seem to be a very strange coincidence.

The want of a night watch in the temple seems to have been brought to the notice of the Amildar many times, but without avail. How far this is true has to be enquired into.

The statements of the principal

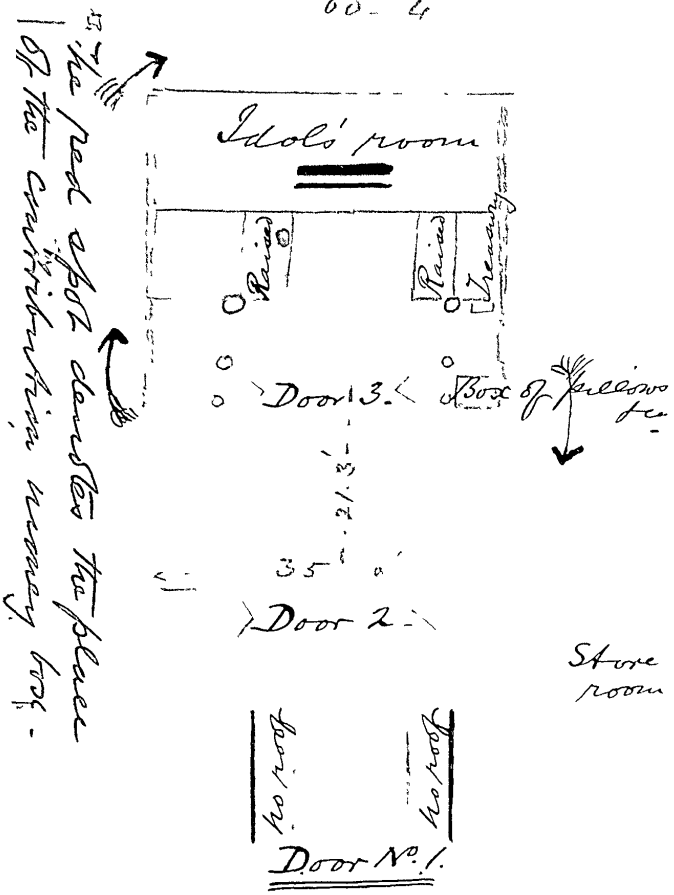
temple servants are enclosed.

9th February 1891. Sd S. Vaidyanatha Iyer
Manager Office

Copy

Offg: Dy Commissioner

21 60 4



The Red Spot denotes the place of the Constitution Treasury Book.

Gordons
pictures

(General Serial No. 31)

1891

From

To The Dy Commr
Bangalore Dist.

Dated 6th

Dispatched

Received 7 March 91

Enclosures No.

General No. 1362
No 544

His No. 812 of the 16th ultimo submitting a report regarding the theft committed in the Banneraghatta temple, Anekal Taluk.

"

With reference to the above has the honor to request that the result of enquiry & the decision of the Dy Commr in the matter may be

report

reported on
information of Lyo

By Order

W

Under Secy.

6.7.

24

(General Serial No. 29.)

OFFICE OF THE
8735
2 - DEC. 91
M364
DEWAN OF MYSORE

18

From The Dy Commissioner
Bangalore District

To The Chief Secretary to the Dewan
of Mysore.

Dated 30th

Despatched November

Received

Enclosures No. Nil

General No.
~~No.~~ 680

Reporting in the matter of theft committed in the Banerghatta temple, Anekal Taluk.

2/12/91

Read
2.12.91

25

Dy Commissioners Office
Bangalore District
Dated 26th November/91
Camp Hoskote.

To

The Chief Secretary to the
Dewan of Mysore

Sir,

With reference to your docket No. 13627/5744 of 6th March/91, I have the honor to state that the theft committed in the Temple on the night of the 18th of January 1891, the value of articles lost together with cash abstracted from the Kanike Pettige amounted to Rs: 22-6-9. The Police seem to suspect the Archak of the Temple, one Ramachari, as his character is said to be bad and as he failed to account for the theft and to help in tracing the culprits

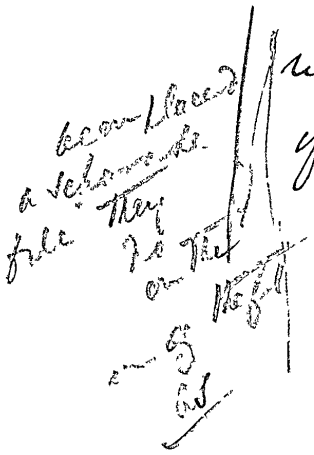
2. The Archak appears to be a well-to-do man and is in sole charge of all the Temple property required for current use

3. The articles stolen were few and of trifling value and it is more probable that somebody acquainted with the state of the Temple, and bearing ill-will to the Archak has committed the theft. But under the Spirit of Government Proceedings No. 7442 dated 16th December 1889, 471 this, however, does not exonerate him from accountability for the loss, and so he has been ordered to make good the loss, together with the value of a necklet (of false pearls) stated to be also missing, and the sum of 15 Rs: being

& 26/18

value of broken locks, amounting
in all to about 40 Rs.

4. The system of securing
Kanikes offered by Pilgrims is
faulty, and the Temple is not
properly guarded, and is kept
in a filthy condition. I have
given strict orders for steps being taken
to prevent a recurrence of the
theft, and also for improving
the Temple and the village as
will be seen from the notes
of Inspection, herewith, forwarded.



I have the honor to be
Sir,
Your most Obedient Servant.

M Madhava Rao
Dy Commissioner

Notes of Inspection of Bannerghatta visited on the 19th November 1891.

I inspected the village of Bannerghatta and went up the hill to see the Temple and Tank. Bannerghatta is a place of some Sanctity and is largely visited by the people of Bangalore, and the surrounding country, both during the Jattras or Annual festivals and at other times. It is also a health resort for many of the residents of Bangalore. Rich people have built good chatrams on both sides of the main Street, leading up to

the Temple, which is picturesquely situated at the foot of the hill. The Temple must have at one time had a high Gópura of the Dravidian Style, but the porch only stands now.

The Temple though largely resorted to by the influential classes in Bangalore, is one of the worst kept, I have hitherto seen. There is neither light nor air through the inner Prákára or Corridor that runs round the Sanctum. Bats innumerable have made these dark passages their home.

There was a foul stench throughout, and it was a great relief when one came out in the open air after going through the prescribed ceremonies inside.

I think in the interests of the very large numbers that resort to this Temple, it is undesirable that this state of things should be allowed to continue any longer. To prevent danger to limb and life from the presence of a passage running by the side of the Corridor, but on a lower level, into which people from the eternal darkness

that prevails here, occasionally fall, the Taluk authorities have been filling up the depression with earth, and thus seriously interfering with the architecture of the building.

I understand that a small Estimate was prepared, and has been sanctioned by Government for making some openings in the Roof to let in light and air, and for putting on the earth, as above mentioned.

From my Inspection of the Temple I am led to think that the amount sanctioned is utterly inadequate for

for the work. The Amildar will stop proceeding with the earth work filling. He will first direct his attention to making two or four openings in the roof of the corridor or Prákára two on each side corresponding to each other, and building good strong "Savatchis" of the kind explained to him in person. The work will require great care and attention on his part. He will start it under his own supervision and report result within a fortnight. He will also send me fortnightly

th
pe diaries, as to the pro-

a mile
al-
So or so distant from
-clea the Temple, in which
por pilgrims bathe ap-
non -peared to have im-
-pure water. The
Amildar will escert
larg himself to get the
the tank properly drained
in i and the silt removed,
the with the help of the
hith Dharma Karta;
is n
air- He will prepare
Prak an Estimate for all
that other repairs urgently
Same Required for the Temple
-mun and submit it with
mad the Estimate already
pass Sanctioned, showing
modifications clearly.

Also an Estimate for repairing the outer wall and for levelling the walk all Round.

The two Anicuts left open in the inner enclosure should be protected by being barred to prevent Recurrence of thefts.

The practice of four of the Temple Servants sleeping in the premises by turns, as a Guard, having been discontinued without question has given facilities for thefts, and the Amildar is therefore directed to see to the proper guarding of the Temple, as per Mamool during

rights.

The present way of keeping the Kanike Dabbi is objectionable. A good and strong Copper or brass Vessel with Metallic lid and secured by a strong lock will be kept during the hours of Service, in a conv. spicuous place, chained to a Stone or wall, the Key being with the Amildar. It shall be opened by the Amildar twice a year or oftener in the presence of the Purpetgar, Archik and Dharmakartas and the Contents compared with the entries in the Register

kept

kept by the Parpetgar.

To assure the Pub-
-lic that the Kanikes
presented will be pro-
-perly utilized for
Temple purposes a
Board may be hung
above the Kanike vessel,
containing a notice
that all Kanikes should
be dropped into it and
that the contents will
be duly credited to
Temple Funds and uti-
-lized towards repairs
and such other use-
-ful objects.

The Parpetgar
shall keep a Register
and enter into it each
item of Kanike as it
is put in and obtain
the Archak's signature
to the entry, and send
daily eschacts of it

signed by himself
n and the Archik to the
Amildar.

f Such extracts
E will be kept in the
A Taluk Cutcherry, and
C at the time of opening
1 of the Dabbi, will be
consulted for checking
the contents, and after
due verification filed
with necessary remarks,
and the result of every
such examination
duly reported to the
Deputy Commissioner.
Gold and Silver ornaments found in the
Dabbi will be weighed,
tested and valued
Dlin sold to the best
Content age if they are
the impleed for temple
K

purposes, and the m
thus realized will
credited together
the cash found in
vessel to the assets
the Temple

The question of m
-adequacy of
-ration to the Temple
Servants, brought to
notice, will be con-
-sidered when the state
of the Temple funds
shew some improve-
ment. In the mean
-while the Builder
will submit a state-
ment of payments
and of the lands en
-joyed by the temple
Servants, shewing prob.
-able total income of
each servant from
different sources.

Chabrams

Excepting two or three, all the Chabrams in the village are in an unfinished or dilapidated state, and rank Vegetation has been allowed to grow in all the open spaces. Deep pits filled with manure and used as latrines are to be seen here and there. The owners should be called upon to keep the buildings in a state of good repair and in a good Sanitary condition. The pits to be filled up and rank Vegetation removed to secure the wells against contamination. Latrines should be built at a convenient distance from

from the occupied
quarters for use by
pilgrims. I under-
-stand there was
frightful mortality
from Cholera about
15 years ago. Auildar
should at once take
steps in the matter
and report progress
early.

The fresh water
wells in the space
to the left of the
temple stand in danger
of pollution, as the
ground all around
is being used as a latrine.
This should be stopped
at once, and the ruined
old wells not required
for use, as also pits, filled
up. The whole es
should be enclosed

with passages four
cattle left open) and
a garden made, if
possible, with the help
of the Temple servants,
the Arelik especially,
a for the use of the
Temple. With regard
to the other open wells
in the village, the owners
should be called upon
to slope the sides, so
that the water used
for washing vessels
may not get into
the wells.

I.O. Manharadas
Dy Commissioner

W.S.L.
Dated 27th
November 91
Camp Soolebele

(General Serial No. 30.)

From 189/

To

The Deputy Commissr.

Bangalore Dist

Dated 4

Despatched 5 Dec/91.

Received

Enclosures No.

General No. 9573.

In No. 310

Directing that Rs 40/0 being the value of articles lost in the Bennerghatta temple, Anekal Taluk should be recovered from the Archick of the temple and credited to temple funds.

Read

Letter No. 680 d

30th. Nov./91 from the Dy Commr. Bangalore Dist. reporting in the matter of theft committed on the night of the 18th. Jany/91 in the Bannerghatta temple Anekal Taluk.

X No 9533/M 310 d/4.12.91. Orders thereon

1. The inspection notes received with the above are recorded

X 2. The value of the articles ~~and the~~ ~~things~~ lost in the temple amounts to Rs. 40/ as reported by the Dy Commr. This amount should as ordered already by ~~the Dy Commr.~~ Srinivasa be recovered from the Archick and credited to the temple funds.

To The Dy Commr. Bangalore Dist.

GM

6.12. Secy.

(General Serial No. 30).

1892.

From
The Secretary to the Dewan of Mysore, Murrai Branch

To
The Deputy Commissioner, Bangalore District.

Dated 23

Despatched 23 February 1892.

Received

Enclosures No.

General No.

No. 477

Petition No. 2988/35 dated 6th ultimo, received at the Dewan's office from Archik Ranga Chary of the Champ-Lakshmiswami temple at Bannerghatta Anekal Taluk.

" —

With reference to the it is observed that un the existing practice, servants of a temple held accountable for loss of property to it.

2. In regard to the allegations in the acc paying petition against

against the Parpattegar of the Temple of Bannerthe Deputy Commissioner is requested to report whether the Parpattegar should not also be held liable for the loss of the property in question.

By order

Secretary to the Dewan

Mutrasi Branch

C. V.

(General Serial No. 30)

1892-93.

From The Dy Commissioner.
Bangalore Distric

To The Secretary to the Dewan of Mysor
Muzrai Departmen

Dated 13th May 1892.

Despatched 14th Do

Received

Enclosures No 4

D No. 146.

In reply to his
dated 28th February
requesting to report
the Parpatagar of
Bannerghatta I
should not be hel
for the loss of
properties reference
the honor to state
is reported by the
that the
Question were
custody of the

× Enclosure Returned

nor were the Temple
Keys with him; but
that they were placed
in the Temple, under lock
and Key, which was
in charge of the Archik.

2. Under such circum-
-stances, the Parpatagar
cannot be held liable for
the loss of the Temple
properties.

3. The Amildar's
urzee dt. 5 is enclosed
for reference

In Name Rao
for Dy Commissioner

Mrs

48

MUZARAYI.

(General Serial No. 30.)

1892.

From S

To D.C. Bangalore
D.Cs of other Dists,
Palace Comptroller Mr

Dated 9th Comptroller Mr

Despatched 3rd Nov: 92

Received

Enclosures No. 1 file

General No. 57-60

Muz: ~~7~~ No. 26-92

Directing the recovery of ~~to~~ 40/- the value of Jewels lost in the Kanneri-Ghatta Temple from the Archich thereof.

49 Mysore.

Read:—

Letter No. 812/2 Dated 14th February 1891 from the Deputy Commissioner, Bangalore District, reporting that a theft was committed in the Temple of Champaka Rama Swami at Bamerighatta, Anekal Taluk, on the night of the 18th January 1891, that the value of the articles &c lost amounted to Rs 40/-, that under the spirit of the previous Government orders on the subject he ordered the recovery of the amount from Rama Chari Archik of the Temple who had the sole charge of the property belonging to the Institution.

Also — The Government order No. 9533/M310 dated 4th December 1891, directing the recovery of the value of the property lost, from the Archik.

Also — Appeal Petitions Nos 2998 and 686 dated respectively 15th January and 2nd June 1892 from Rama Chari Archik of the aforesaid Temple, representing that property was lost in the Temple owing to the commission of Burglary therein referred to, therefore on the night referred to, he was not responsible for the loss, of the property &c. that it is extremely hard that he should

be called upon to make good the loss and praying that the order of the Deputy Commissioner may be cancelled.

Read also the following Memo dated 11th October 1892 from the Mysore Superintendent, citing previous rulings on the subject:—

Memo

"The following is the collection of authorities on the subject of the responsibility of the Temple Servants in regard to the loss of property occurring in Temples"—

" In 1865 jewellery valued Rs 3188/- was lost in the Temple at Nanjangud under circumstances indicating that it had been stolen; the suspected persons were placed before a Magistrate for trial, but owing to the defect in the evidence, the case fell through and the Offenders were released, yet the then Superintendent of Ashtagram Division Col Elliot, in accordance with the ancient usage in the Province, directed the recovery of the value of the property from the Temple Servants according to the extent of their responsibility; This order of the Superintt was upheld by Mr Bowring the then

Chief

letter No. 1234/37 dated 28th June 1866 and also Col: Elliot's letter on the subject attached to it."

ii " In the Agastheeswara T in the late Talakad Taluk, a series of thefts had occurred. In all these cases the late Chief Commissioner held that Temple servants should be held responsible for the loss of the property and directed its value being from them rateably. In this order also the long existing usage is cited as an authority for the order - vide late Chief Commissioner's Pro: No. 682/66 D/28th May 1879."

iii " In 1886 a few jewels were stolen from the Temple of Narasimhaswami at Sreerangapatam and their value was under the orders of the Amildar Sub-Division Officer, recovered from the Temple servants and the Dewan confirmed the order of the local Officers in the matter - vide Pro: of the Dewan No. 7346/432 Dated 17th September 1890."—

Order thereon No. 51-60

Mw: 7-26-92

D/ 3-11-92

The responsibility of Temple

Officials to make good the loss of Temple property is of course not a criminal one, but arises out of a rule of the Muzrai Department which has long been in force. It is under existing circumstances a well-recognized condition of Temple Service. The Govt. have therefore consider it would be highly inexpedient to relax the rule in question on the ground of individual hardship.

2. As ordered already in Govt. Pro. No. 9533/310 D/4th December 1891 the sum of Rs 401- being the value of the jewels lost, should be recovered from Archik Ramalhari and credited to the Temple Funds—

Draft.

A/

Secretary

To.

The Dy Commr. Bangalore Distt
(returning the Verm: Papers)
Dy Commrs of other Distts and Palace Controller
for information and guidance
Comptroller to the Govt of Mysore

1892.

GOVERNMENT OF MYSORE.

MUZARAYI

PROCEEDINGS.

Dated 3rd November 1892.

No $\frac{51\text{-}60.}{\text{Muz. F } 26\text{-}92.}$

Directing the recovery of Rs. 40, the value of jewels lost in the Bannerighatta Temple from the Archik thereof.

Mysore Govt. C. Press, Bangalore.—17-11-92.—120.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Muzarayi),—dated 3rd November 1892.

READ —

Letter No 812—2 dated 14th February 1891, from the Deputy Commissioner, Bangalore District reporting that a theft was committed in the temple of Champakadhamaswami at Bannerghatta Archal Taluk, on the night of the 18th January 1891 that the value of the articles &c lost amounted to Rs 40 and that under the spirit of the previous Government orders on the subject, he ordered the recovery of the amount from Ramachari, Archik of the temple, who had the sole charge of the property belonging to the Institution.

READ AGAIN —

The Government order No. 9533—M. 310, dated 4th December 1891, directing the recovery of the value of the property lost from the Archik.

READ —

Appeal Petitions Nos. 2998 and 685, dated respectively 15th January and 2nd June 1892, from Ramachari, Archik of the aforesaid temple, representing that property referred to was lost in the temple owing to the commission of burglary therein, he was not therefore responsible for the loss, that it is extremely hard that he should be called upon to make good the loss and praying that the order of the Deputy Commissioner may be cancelled.

READ ALSO —

The following Memo, dated 14th October 1892, by the Muzarayi Superintendent, citing previous rulings on the subject —

"*MEMO.*"

"The following is the collection of authorities on the subject of the responsibility of the temple servants in regard to the loss of property occurring in temples" —

"In 1865 jewellery valued Rs. 3,188 was lost in the Temple at Nanjangud under circumstances indicating that it had been stolen; the suspected persons were placed before a Magistrate for trial, but owing to the defect in the evidence, the case fell through and the offenders were released, yet the then Superintendent of Ashtagram Division, Col Elliot, in accordance with the ancient usage in the Province, directed the recovery of the value of the property from the temple servants according to the extent of their responsibility. This order of the Superintendent was upheld by Mr. Bowring, the then Chief Commissioner—*Vide* Chief Commissioner's letter No. 1234—37, dated 28th June 1866, and also Col. Elliot's letter on the subject attached to it."

ii. "In the Agastheswara Temple in the late Talkad Taluk, a series of thefts had occurred. In all these cases the late Chief Commissioner held that the temple servants should be held responsible for the loss of the property and directed its value being recovered from them rateably In this order also the long existing usage is cited as an authority for the order—*Vide* late Chief Commissioner's Proceedings No. 682—66, dated 28th May 1879."

iii. "In 1866 a few jewels were stolen from the Temple of Narasimhaswami at Sreerangapatam and their value was, under the orders of the Amildar and the Sub-Division Officer, recovered from the temple servants and the Dewan confirmed the order of the local officers in the matter—*Vide* Proceedings of the Dewan No. 7346—432, dated 13th September 1890"

No. 51-60—MUZ. F. 26-92, DATED BANGALORE, 3RD NOVEMBER 1892.

ORDER THEREON.—The responsibility of temple officials to make good the loss of temple property is, of course, not a criminal one, but arises out of a rule of the Muzarayi Department which has long been in force It is under existing circumstances a well-recognized condition of temple service. The Government, therefore, consider it would be highly inexpedient to relax the rule in question on the ground of individual hardship.

2. As ordered already in Government Proceedings No. 9533—310, dated 4th December 1891, the sum of Rs. 40, being the value of the jewels lost, should be recovered from Archik Ramachari and credited to the Temple Funds.

A. SREENIVASACHARLU,
Secretary.

To—The Deputy Commissioner, Bangalore District,
(returning the Vernacular papers).
The Deputy Commissioners of other Districts and
Palace Comptroller, Mysore, for information and guidance.
The Comptroller to the Government of Mysore.

ಇಂತಿ ನಿಮ್ಮ ವಿಶ್ವಾಸಿ.

(2).

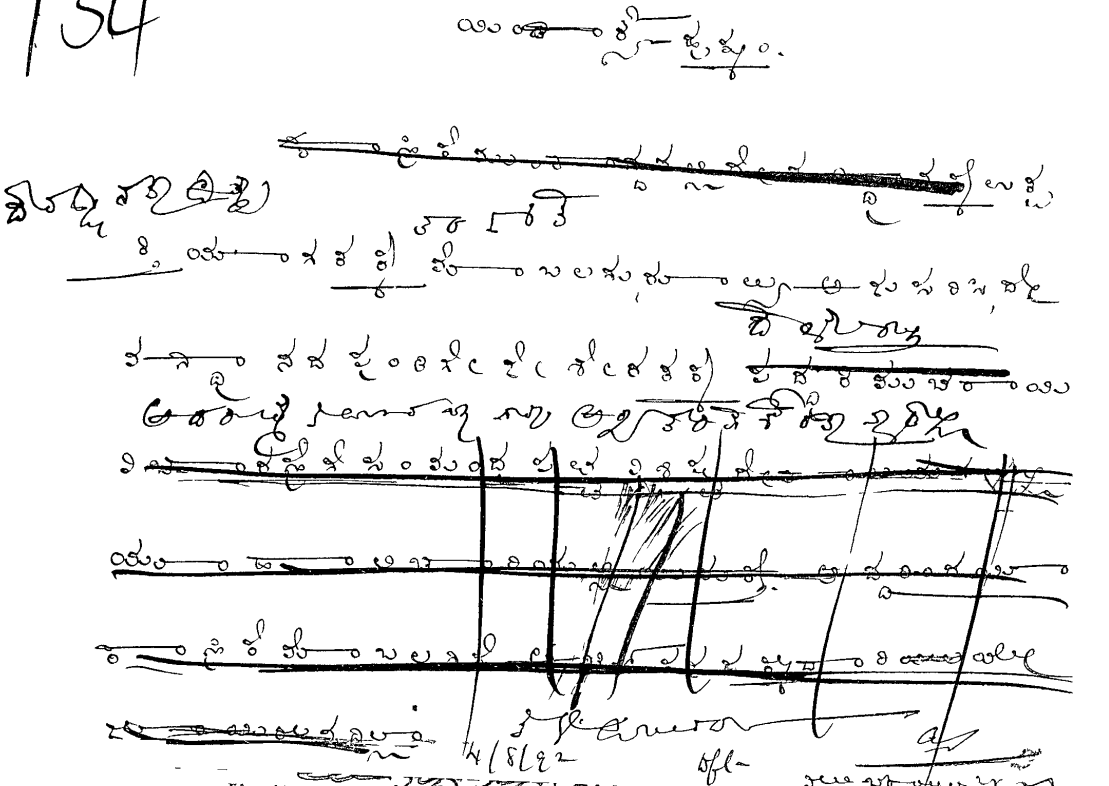
(3).

(4).

Secretary

Draft

134



OFFICE OF THE SUPERINTENDENT OF MUZRAI IN MYSORE

31/5/92

No. 283

Inward.

Inw: 726-92

26th Decr 1892

Endorsement

Ramachar, Archik of "Sri Champaka Dhamaswamy's temple, Bannerghatta, Anekal Taluk is informed that his Petition of the 22nd instant ~~it~~ ~~is~~ disrespectfully worded is hereby returned

~~2. Returned.~~

By order

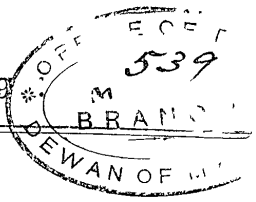
~~A~~

~~Secretary~~

From ch. Secretary Inv Det 1549 9/2/6/93

(General Serial No. 32.)

63



No. 356 / 3168

Name of Petitioner. Rama Char Archak in the temple

~~Village~~. Chempakadhâma Bannerghatta

Taluk. Anekal Taluk

District. Bangalore

Date of Arzi. 12th January 1893.

Date of Receipt. 25-5-93.

Date of Disposal.

No. of Enclosures. – Nil –

ABSTRACT.

Review application.

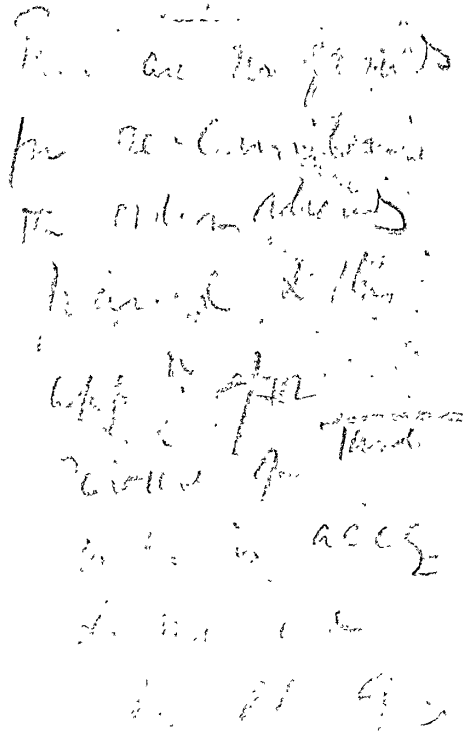
Appeal against the order No. 157 dated 17th M last directing the recovery of from the Memorialist, (Temple Archak) the price of the pr. stolen from the temple of Sri Chempaka Dhâmaswamy a Bannerghatta

D. No. 1549 Rl.

Transferred to the Inam Secretary.

"By order"
Sd/ N. Ananda Row
Chief Secretary.

27/5.
2.6.93. "C"



Abstracted
MK
20/5

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
CAMP ... Mysore
REG'D. No. ... 356
DATE 27-5-93

REG'D. 3168
DATE 31-5-93

To
His Highness the Maharaja
Shri Chama Rajendra Wader Bahadur G.C
the Maharaja of Mysore—

The Humble Memorial of Ramachar,
in the temple of Shri Chenpraka Dhama
Swamy Bannergatta, Anekal Taluk
Bang

Most Humbly Sheweth—

Highly aggrieved by
Dewan's most cruel, unjust and oppressive
order No 157 dated 17th November last,
that "in the Moozrey Department, a practise
and clear rulings prevail of holding
temple servants responsible for the price
of stolen properties though no punishment
can be inflicted under Criminal law
in all temple services, a condition now
ably exists of holding principal servants
responsible for the fts committed in temple
and under these circumstances the
Commissioner is directed under the
of the Proceedings No $\frac{9553}{310}$ dated 4th
cember 91, to levy Rs 40 from the Head
alish (the Archik) being the price of stolen
properties from the temple of Shri Chenpraka
Dhama swamy at Bannergatta, the Memorial

2/- begs most humbly and respectfully to prefer this
Appeal to your Highness' most gracious and august
Throne for the following among others reasons.

I The order is opposed to the spirit of the Proceedings
directing to hold "principal Servants" responsible,
to the established usages, practise and others in vo-

II The order fails to define who the "principal Servants"
in the temple are-

III The order is wrong in not bringing the Parpattegar
(a servant in the highest pay) under the category
of "principal servants" though virtually he
is the "principal Servant" in the temple, may re
because he is other than a 3 mark man. Moreover
the Kavalgars are not taken notice of though
they are by duty bound to guard the temple-

IV The order to the Deputy Commissioner to levy
Rs 40 from the Memorial list alone (from none else) a
entirely wrong in as much as the temple duties
stood, by a Jalook order divided as it were,
between the Archik (memorialist) of the one part
and the Parpattegar and Kavalgars of the other
part and sets the former in charge of Jewels &
clearly implying that the latter was to be in ch
of the other properties viz: Vajrangis (coats of bra.
Vahanas (vehicles) and utensils and the temp
premises-

V The order is wrong in not defining the duties o
temple servants and in confounding their d
and in passing the sweeping order that "in
should be realized from the Memorialist a

3/-

VI The order is wrong in exonerating the Parpattégar and Kaval-gars though they are paid solely to guard the temple and its properties and are the door keepers and seal bearers of it-

VII the loss of Vajrangy which is promiscuously strown about the temple premises while unused and the Archik is absent, home should be made good by the Parpattégar and Kavalgars alone, but the order is wrong in implicating the Memorialist alone, and in directing the Deputy Commissioner to recover the price thereof from the Memorialist.

VIII The order is wrong for want of a fair, unbiassed, and deliberate consideration that, if Archik alone made good the present loss, the occurrence might be repeated at any future time with impunity, pointing of course at all times to the Memorialist as the culprit guilty of a repeti... of the crime.

IX The order is entirely wrong in adhering to Mamool wherever and whenever it suits the views and purposes and in rejecting the same in respect of the Kaniks (gifts or offerin made to the temple (see order No 134 dated 12th August/92). If the Mamool holds good i one respect, it should do so with respect to a others

X The orders are not consistent with the Proceedi No 955-3/810 dated 4th December/91, the Jaloo Chittas, accounts, practise, Mamool, and other ... ings, weight of documentary evidence, equit...

commo

common-law, and probabilities of the case-

XI. His Hgnor the Dewan is all gold except in ears, and being misled, misconstrued the Proceedings Talook records, rulings, and the long established manool-

XII The order is as much as to say that if the moon vanes, to butcher all the foxes in holes, and to take to task the unconcerned Police officers for all the occurrences in a town or the mofussel-

XIII The order is wrong in not fulfilling one or all the conditions alleged to be required in the temple services noticed in the foregoing Endorsement-

The Memorialist in conclusion prays, Your Hg to be graciously pleased to call for the records of the case, and refer it to your Highness' assembly of Councillors and extend to him that justice grant which your Highness' Councillors won a name and also the relief sought. should your Highness be led to believe the report in the case, the Memorialist prays also, that all those put down as accused persons be dealt with according to law, and thereby save him from all shame and obloquy & entailing the mute punishment awarded to

And your Highness' Memorialist
as in duty bound
Will Everitt

12th January/93-
Bangalore

~~Before the Govt. of H.H. the Maharaja~~
of Mysore

Petition no 357/539 of 1892-93

Application from Ramachar Archick of the Chamapakadhama Swamy temple at Bannerighatta Anekal Taluk ~~for~~ Review of the order ~~passed~~ in ~~R.O. 57 60~~ dated 3rd Nov. 1892. ~~Application for Review~~

Order thereon. No. 523 R 3/16/11/93
Mun. 7. 26. 92

There are no grounds for re-considering the order already and this application for review of the order is accordingly dismissed

Secretary.

To
The Deputy Commr
Bangalore Dt

M. No. 605 R
Muzr 7 26 92

Endorsement.

In reply to his ~~Petition dated~~ ~~Review~~ application dated 12th January 1893, Ramachar, Archk of Champakadhamaswamy temple at Bannér ghatta, in the Anekal Talúk ~~Arch~~ is informed that ~~they~~ there are ~~is informed that~~ grounds for reconsidering the order already passed and that his application for review ~~of Arch~~ is accordingly disposed.

Mysore Dewan's Office,
Muzrayi Department,
7 Week 1893.
9

By Order,
Dy
Muzrayi Secretary.
6.7